Amendments to the Drawings:

The attached drawing sheets, provided as an Appendix following page 24, include a replacement Fig. 7, and an annotated Fig. 7.

An arrow was drawn backwards, as indicated in the annotated drawing sheet, and as shown corrected in the replacement sheet.

See the Remarks section for a detailed discussion and support for this correction.

Attachment (Appendix): Replacement sheet, along with a marked up Annotated sheet showing changes made to the Replacement sheet.

Remarks:

1. Claims 1-9, 12-15, and 22-25 are pending;

   Claims 10, 11, and 16-21 are cancelled; and

   Claims 26-27 are new.

2. A restriction under 35 U.S.C. 121 was required by the Examiner regarding the following indicated inventions:

   I) Claims 1-15 and 22-25, drawn to an asset management and status system (classified in class 707, subclass 10); and

   II) Claims 16-21, drawn to a hand held scanner, classified under class 235, subclass 472.02.

   First it should be noted that the applicant asserts that the claims 16-21 are drawn to a "wireless data communication terminal", which has notable additional structural and operational differences when compared to common scanning and reading devices.

   As indicated by the Examiner in the third paragraph on page 3 of the Examiner Action of May 1, 2006, the applicant was contacted by telephone and has elected to prosecute Invention I, drawn to claims 1-15 and 22-25. Accordingly, claims 16-21 have been cancelled.

   It should further be noted that the second invention, Invention II (claims 16-21), is being prosecuted as a separate application, which was filed via EFS-Web (App No. 11/457807) on July 16, 2006.

3. The Examiner has indicated that "Claim 8 is rejected under 35 U.S.C. 112, second paragraph, for being incomplete for

omitting essential structural cooperative relationships of elements, such omission amounting to a gap between the necessary structural connections."

The applicant has responded to this rejection by amending claim 8 as suggested by the Examiner. The amendments include replacing the original phrase "at least one of the following is supported" with "each of the following is supported". In addition, several additional changes have been made for clarity purposes.

Accordingly, the applicant respectfully submits that the rejection under 35 U.S.C. 112, second paragraph, has been addressed and overcome.

4. The Examiner has also rejected claims 1-15, and claims 22-25, under 35 U.S.C. 102(b) as being anticipated by Isaacman et al. (US 5,936,527).

   The applicant must respectfully disagree with the Examiner regarding this rejection, for a number of reasons, based on important limitations presented in the currently pending claims.

   In addition, the Isaacman invention requires structures and limitations that are not useful with the applicant's present invention, while omitting essential structures and capabilities included in the applicant's claimed embodiments.

   As will be discussed, these differences result, in part, from the very different intended uses of the respective inventions: Isaacman is intended to locate an often lost item (e.g., one document of many proximate documents), while the applicant's invention tracks an asset that is not lost or missing, and is always located directly in front of a user of a respective data communication terminal of the invention.

5. Structural and functional differences between Isaacman and the invention of the applicant are summarized below.

a) **Isaacman utilizes and requires one-way communication, while the applicant's present invention requires direct two-way communication.**

The Isaacman apparatus, employs one-way or indirect communication techniques, for cost and complexity reasons, and employs low cost "local exciters 18". *(See Figs 3 and 4; col 4, lines 53+; and col 5, lines 21+.)*

In contrast, the applicant's present system employs two-way, bi-directional, and direct communication techniques, utilizing interrogation head portion 37 and transceiver 40, which both excite an identification tag (or suitable electronic device) and receive a response.

Importantly, Isaacman clearly indicates that the use of the applicant's two-way approach and transceivers is not practical for his application. *(See Isaacman's Background section; Figs 1 and 2; col 4, lines 6+; and col 4 lines 26+).*

In contrast, the applicant's invention as described and claimed uses 'local wireless transceivers' and direct two-way communication techniques, which Isaacman indicates are unsuitable for office environments and his present teachings (col 4, lines 26+).

b) **Isaacman does not include dedicated hardware to receive position related information and determine a current location.** Isaacman relies on the fixed and known position of components such as local exciters 18, each of which must have their position programmed into the system for the system to operate. For example, individually addressable exciters may be placed on each shelf holding documents, or within each draw of a file cabinet.

In contrast, the applicant's claimed apparatus specifically includes modules and hardware to "receive" position related information, which is used for determining a current location - that can be potentially anywhere on the planet. The position of each data communication terminal is not fixed. This limitation is clearly included in each of the applicant's currently pending independent claims. *(See claim 1, part-c; claim 12, part-a; claim 22, part-c; and claim 25, part-a & part-c.)*

Isaacman does not explicitly receive and process any information related to a current location. Instead, a specific *addressable* local exciter 18 (of a plurality of local exciters) is activated. If there is no response received, by an associated host transceiver, from the document of interest to be located, then another addressable local exciter 18 is activated. This process continues until all available local exciters have been activated or until the document is found. As such, the position of all of the local exciters 18 must be fixed and programmed into the PC 2 computing devices. *(See col 7, lines 52+; col 8, lines 47+; and col 10, lines 55+)*

Thus, the hardware structure of Isaacman is very different from that of the applicant's embodiments.

c) **Isaacman implements a one-way (indirect) interrogation that requires one or more selectable host transceivers 14 that are structured to operated with the addressable local exciters 18.**

Specifically, Isaacman teaches the use of a host transceivers that use a first frequency (f.sub.1) to activate an exciter device. The exciter can be any of a local exciter 18, a desktop exciter 26, or a handheld exciter 24. This causes the exciter to emit a second frequency, f.sub.2, to excite a plurality of nearby tags, each of which is fixed to an item (e.g., a document). If the item that is being searched for (using a unique address) encounters the second frequency, the modulated response is not transmitted back to the local exciter (which is lacking an appropriate receiver means). Instead, the response is received (sensed) by the local host transceiver 14. Thereby utilizing a one-way or 'indirect' communication technique.

In contrast, the applicant's data communication terminals 14/14a transmit a stimulus signal and always receive back a response. Thereby utilizing two-way and 'direct' communication techniques.

In addition, the transmitting of a stimulus signal by a data communication terminal 14 of the present invention, virtually always results in the receiving of a response including the assets unique identifying code - there is no sequential addressing activities involved.

d) **It is important to note that the data communication terminals 14 of the applicant's invention function as a mobile 'communication nexus'.** That is, all communications relating to an asset is interest pass through these data communication terminals 14. As such, the applicant's claimed invention includes at least three (3) wireless communication modules (or capabilities). More specifically the applicant's current system includes:

- a wireless local transceiver 40 (e.g., an interrogator);
- a wireless position information receiver/module 20 (e.g., GPS satellite receiver);
- a long or very long distance sat/cell communication module 30 (for exchanging information with the remote computing system).

e) It may also be noted that the item/document number of Isaacman is generally known, available, and used to locate the lost or misplaced item. In contrast, the applicant's present invention **is always querying a proximate asset to determine the unique identifying code,** which is not (locally) known. Subsequently, the unique identifying code and a determined current position are transmitted to a remote (not local) computing system. This is very different from the disclosed structure and operation of the Isaacman embodiments.

6. Therefore, the applicant respectfully suggests that the structure and functional operation of the applicant's present invention, as currently disclosed and claimed in the amended independent claims 1, 12, 22, and 25, is

significantly and patentably different from that of Isaacman, as well as the other prior art of record.

Accordingly, the applicant respectfully requests that the 102(b) rejection of the applicant's pending claims be reconsidered and withdrawn.

7. During a review of the applicant's currently filed drawings, an error was found in Fig 7. A direction arrow flowing from item 306 to 308 is backwards. More specifically, at decision diamond 308, if it is determined that a 'time-out' has not been reached, the 'radiate RF signal' 308 function should be continued.

   As such, the direction arrow from 308 to 306 has been reversed. This change is supported by the discussions of paragraphs [0047], starting on line 20 of page 26 of the specification.

   An included Appendix, following page 24, includes a replacement drawing sheet, followed by an annotated drawing sheet.

8. A number of minor amendments have been made to the presently pending claims for grammatical and clarity purposes.

   Support for the amendments to independent claims 1, 12, 22, and 25, can be found in the specification as filed, including on page 6, lines 19+, and page 16, lines 2+.

   Support for the amendments to claim 6 can be found in the specification as filed, including on page 8, lines 14+, page 26, lines 1+, and on page 27, lines 19+

Additional support for amendments to independent method claim 22 can be found in the specification as filed, including on page 18, lines 13+, on page 24, lines 14+, as well as page 27, lines 2+.

Additional support for the amendments to independent claim 25 can be in the specification as filed, including on page 7, lines 20+, page 8, lines 9+, and on page 20, lines 16+

9. The amendments to the present application, as provided above, are deemed not to add new subject matter as required by 35 U.S.C. 132 and 37 C.F.R. Rule 1.118.

10. **Summary and Conclusions:**

It is respectfully submitted that the Asset Management and Status System, as described and claimed by the applicant, is not taught or suggested by Isaacman or the other prior art of record. In particular, a number of structural and operational limitations taught by the applicant's claimed invention are not present in the cited prior, and certainly are not found in the Isaacman reference.

Importantly, the embodiments disclosed and claimed by the applicant specifically provide structures for supporting a two-way (direct) communication with an identifying tag or electronic device fixed to an asset, as well as providing position determining capabilities for determining a current location. Subsequently, the unique identifying code and current location of a proximate asset are transmitted to a remote location for accessing and updating a database of the invention.

Therefore, based on the above amendments, comments, and responses to the Office Action of May 1, 2006, the allowance of the independent claims 1, 12, 22, and 25 is respectfully requested.

As each of these presently pending independent claims is now deemed to be in proper form, and considered to include limitations that define patentable subject matter over the prior art, their allowance is earnestly solicited.

Since the dependent claims incorporate all of the limitations of the independent claims from which they depend, their allowance is also respectfully requested.

Thank-you for your time regarding the review and analysis of this response, as well as the time spent during the interview of Aug 4, 2006.

Respectfully submitted,

/ F. Scott Tierno /	Aug 7, 2006
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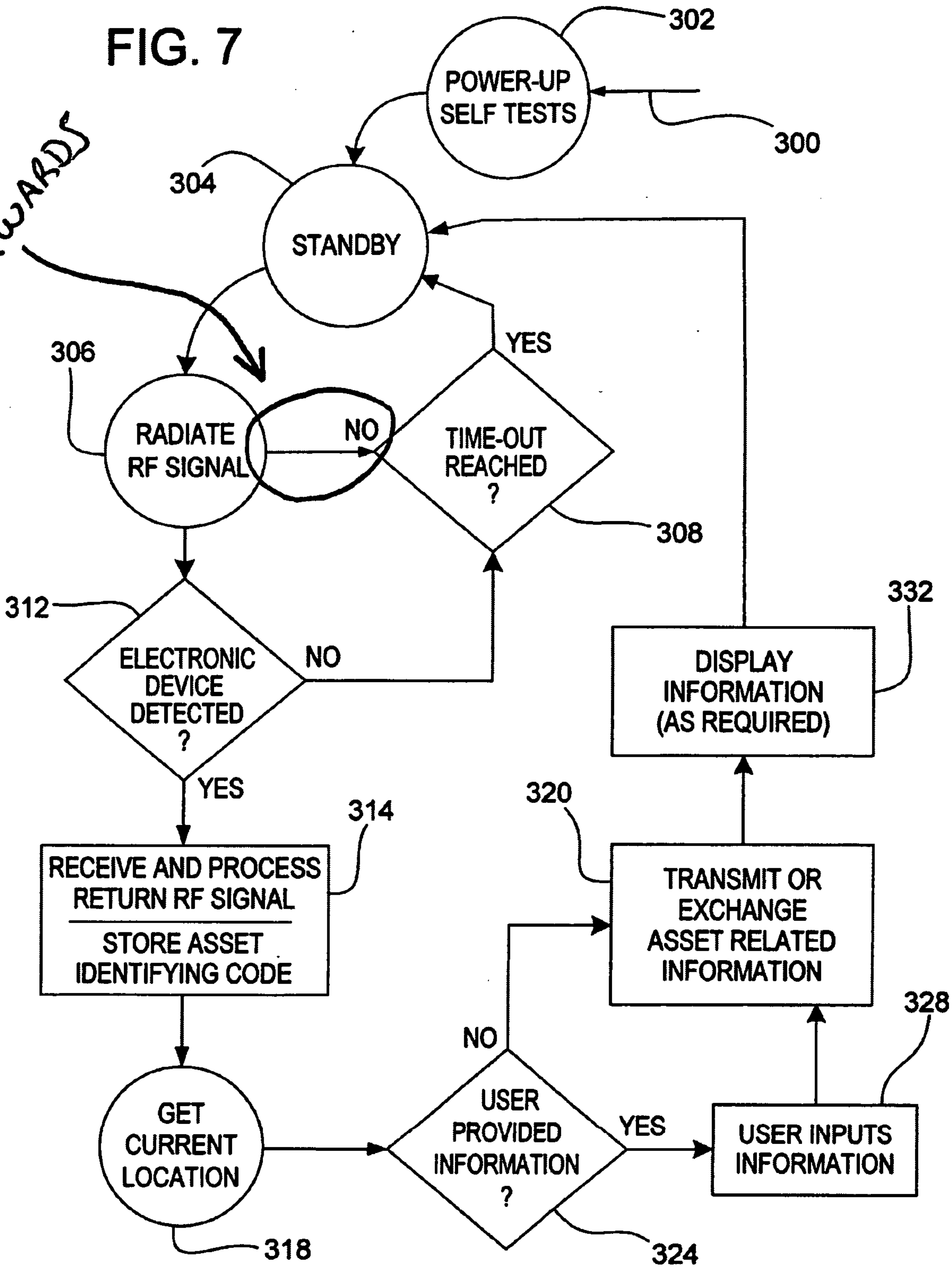
FIG. 7


302
POWER-UP SELF TESTS
300
304
STANDBY
306
RADIATE RF SIGNAL
NO
TIME-OUT REACHED ?
YES
308
312
ELECTRONIC DEVICE DETECTED ?
NO
YES
314
RECEIVE AND PROCESS RETURN RF SIGNAL
STORE ASSET IDENTIFYING CODE
GET CURRENT LOCATION
318
USER PROVIDED INFORMATION ?
NO
YES
324
USER INPUTS INFORMATION
328
TRANSMIT OR EXCHANGE ASSET RELATED INFORMATION
320
DISPLAY INFORMATION (AS REQUIRED)
332

ARROW BACKWARDS